



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

will

OCT 05 2007

REPLY TO THE ATTENTION OF:
L-8J

Tim Vandersall
General Manager
Countywide Recycling and Disposal Facility (RDF)
3619 Gracemont Street S.W.
East Sparta, Ohio 44626

Re: Off-Site Rule Unacceptability Notice
Republic Services of Ohio II, LLC
dba Countywide Recycling and Disposal Facility
Ohio EPA ID no. 76-00-10

Dear Mr. Vandersall:

Previously, in a letter dated May 30, 2007, my staff informed you that we believed conditions existed at Republic Services of Ohio II, LLC dba Countywide Recycling and Disposal Facility (Countywide RDF) that warranted making Countywide RDF unacceptable to receive waste regulated by the CERCLA Off-Site Rule (40 CFR 300.440). That letter stated that this determination would take effect 60 days from the date of the letter. Furthermore, you were offered the opportunity to meet informally with my staff and staff from the office of Regional Counsel and to provide written comments.

Subsequently, you and your legal counsel, Jason Perdion, Esq., did participate in an informal conference on July 10, 2007 and submitted written comments. On August 2, 2007, I issued a letter extending the effective date of the unacceptability determination while information provided in the informal conference along with additional written comments were evaluated. The purpose of this letter is to inform you of the results of that review.

In a letter dated May 30, 2007, three relevant violations were identified. These are that elevated temperatures and releases of toxic gases and carbon monoxide concentrations of more than 1,000 ppmv indicated the presence of a fire, the release of gases created odors and was potentially injurious to human health and that the elevated temperatures in the wells were in violation of the Title V operating permit.

Review of the information provided indicates that steps have been taken that greatly reduced the emissions of toxic gases and carbon monoxide thereby adequately addressing the first two of these relevant violations. However, information provided indicated that the elevated temperatures in the gas extraction wells are likely the result of a subsurface exothermic reaction between water and dross from secondary aluminum processing. At this time, there does not

appear to be a practical method available to control the reaction and bring the temperatures back down. Therefore, this relevant violation has not been adequately addressed.


You have also provided my staff with additional information about the layout of the facility, the portions of the facility where the reactions are occurring and the steps taken to control fugitive emissions from this portion of the facility and minimize the infiltration of water into the affected portion of the facility. As you described the facility, the oldest cells designated as cells 1, 2, 3, 4, 5A, 5B, 5C, 5D and 6A are closed and capped with a liner. As the reaction plays out, some additional municipal solid waste may be placed over the liner to bring areas where there has been accelerated settling up to an acceptable grade prior to a final cap being placed on this portion of the facility. For purposes of your CERCLA Off-Site Rule status, I will refer to these cells as disposal unit 1.

Currently operating and planned disposal cells designated as cells 7, 8A, 8B, 8C, 9, 10, 11, 12, 13, 14, 15, and 16 are currently or planned to accept waste. These cells have not had secondary aluminum dross disposed in them. For purposes of your CERCLA Off-Site Rule status, I will refer to these cells as disposal unit 2.

Based on the information provided, I have decided that the Countywide RDF disposal unit 1 is now unacceptable to receive waste regulated by the CERCLA Off-Site Rule. This determination is effective as of the date of this letter. However, Countywide RDF disposal unit 2 does not have violations relevant to the CERCLA Off-Site Rule and will remain acceptable to receive waste regulated by the CERCLA Off Site Rule.

If you have any questions regarding this letter, you may write to William Damico, U.S. EPA Region 5, 77 West Jackson Blvd., LR-8J, Chicago, Illinois 60604, or call him at 312-353-8207.

Sincerely,



Margaret M. Guerriero, Director
Land and Chemicals Division

cc: Joshua Adams
Ohio Environmental Protection Agency Northeast District Office

Jason Perdion, Esq.
Baker & Hostetler LLP